

Notice of Allowability

Application No.

10/648,888

Examiner

Michelle (Shelley) Clement

Applicant(s)

VAIS, GEORGE

Art Unit

3641

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/24/05.
2. ☒ The allowed claim(s) is/are 4-8.
3. ☒ The drawings filed on 12 April 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Derek Maughan on 5/24/05.

The application has been amended as follows:

In Claim 4 line 3 insert --a first piece,-- prior to "a barrel nut";

Line 7 after "further" insert --comprising circumvolving grooves--;

line 8 insert --a second piece,-- prior to "a gas tube";

line 9 insert --gas tube and hand guard-- prior to "support ring";

line 11 delete [at least one portion of said];

after "receiver" insert --portion of said rifle--;

line 12 insert --a third piece,-- prior to "a threaded";

lines 12-14 delete [said lock nut having an outer surface generally free of projections thus providing an infinite number of locking positions,];

line 14 after "configured to" insert --compressively engage and--;

after "hold said" insert --gas tube and hand guard--;

after "position" insert --between said threaded lock nut and said upper receiver portion of said rifle.--;

line 15 delete [upon said barrel nut].

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In Claim 5 line 2 insert --guard-- prior to “support”.

In Claim 7 lines 1-2 delete [holes are] and replace with --at least one aperture is--.

In Claim 8 line 3 insert --a first piece,-- prior to “a barrel nut”;

Line 9 insert --a second piece,-- prior to “a gas tube”;

After “configured for” insert --non-engaging--;

Line 10 insert --gas tube and hand guard-- prior to “support ring”;

Line 11 after “gas tube therein” insert --, a pair of tabs configured to allow said
gas tube and hand guard support ring to be held in aligned placement upon
said upper receiver portion of said rifle--;

Line 12 insert --a third piece,-- prior to “a threaded”;

Line 13 delete [said lock nut having an outer surface generally free of projections
thus defining an infinite number of locking positions,];

Line 14 after “configured to” insert --compressively--;

Insert --gas tube and hand guard-- prior to “support ring”.

2. Claims 4-8 are allowed.

3. The following is an examiner’s statement of reasons for allowance: The prior art of record does not anticipate the claimed system for connecting a rifle barrel to an upper receiver portion of a rifle comprising three separate pieces including a barrel nut having a first threaded portion configured to connect with the upper receiver portion of a rifle and also configured to hold a rifle barrel within the barrel nut and further comprising circumvolving grooves configured to engage a lock nut upon an outer surface; a gas tube and hand guard support ring configured for non-engaging placement over the barrel nut and having a pair of tabs configure to align the gas

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tube and hand guard support ring in a desired location upon the upper receiver portion of the rifle; and a threaded lock nut configured for connection with the barrel nut and configured to compressively engage and hold the gas tube and hand guard support ring in a desired position between the threaded lock nut and the upper receiver portion of the rifle.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Battaglia (US Patent # 6,792,711).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle (Shelley) Clement whose telephone number is 571.272.6884. The examiner can normally be reached on Monday thru Thursday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 571.272.6873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

